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REISSUE LITIGATION

SHEET 1 OF 1

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)	GPI ATTY. DOCKET NO. Collins - Reissue	SERIAL NO. / PATENT NO. 09/533,906 / 5,570,338
	APPLICANT Collins et al.	
	REISSUE FILING DATE March 8, 2000	GROUP / EXAMINER 1655 D. Johannsen

U.S. PATENT DOCUMENTS													
EXAMINER INITIAL	DOCUMENT NUMBER								DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF-APPROPRIATE)
D21	4	9	5	7	8	5	8	09/18/90	Chu et al.	435	6		

FOREIGN PATENT DOCUMENTS														
EXAMINER INITIAL	DOCUMENT NUMBER								DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

EXAMINER <i>Diana</i>	DATE CONSIDERED <i>n/26/01</i>
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	

Reference cited by Protester

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OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Atty. Docket No. 01147-0142-00000				Reissue Serial No. 09/533,906			
Applicant Mark L. Collins et al.							
Filing Date March 8, 2000				Group 1655			
U.S. PATENT DOCUMENTS							
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DRB		4,683,202	7/28/87	Mullis	435	91	
		5,399,491	3/21/95	Kacian et al.	435	91.21	
		5,639,599	6/17/97	Ryder et al.	435	5	
		5,731,148	3/24/98	Becker et al.	435	6	
		6,025,133	2/15/00	Stull et al.	435	6	
		6,110,678	8/29/00	Weisburg et al.	435	6	
DRB		6,130,038	10/10/00	Becker et al.	435	6	
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	Translation Yes or No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
DRB	/	Gilles Mangiapan et al., <i>Sequence Capture-PCR Improves Detection of Mycobacterial DNA in Clinical Specimens</i> , Journal of Clinical Microbiology, 34:1209-1215 (1996).					
DRB	/	Margareta Ieven et al., <i>Relevance of Nucleic Acid Amplification Techniques for Diagnosis of Respiratory Tract Infections in the Clinical Laboratory</i> , Clinical Microbiology Reviews, 10:242-256 (1997).					
DRB	/	Axel Ullrich et al., <i>Rat Insulin Genes: Construction of Plasmids Containing the Coding Sequences</i> , Science, 196:1313-1319 (1977).					
DRB	/	Russ Higuchi et al., <i>A General Method for Cloning Eukaryotic Structural Gene Sequences</i> , Proceedings of the National Academy of Sciences USA, 73:3146-3150 (1976).					
DRB	/	Anthony J. Mazaitis et al., <i>Partial Isolation of an RIB Segment of T4 DNA by Hybridization with Homologous RNA</i> , Proceedings of the National Academy of Sciences USA, 57:1633-1637 (1967).					
DRB	/	W. Stuart Riggsby, <i>A General Method of Fractionation of Nucleic Acids on the Basis of Sequence Homology</i> , Biochemistry, 8:222-230 (1969).					
Examiner Diana B. [Signature]				Date Considered 11/26/01			
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							
Form PTO 1449				Patent and Trademark Office - U.S. Department of Commerce			


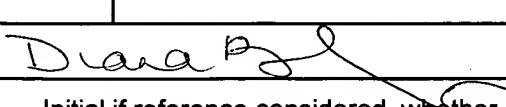
OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Atty. Docket No.	01147-0142-00000	Reissue Serial No.	09/533,906
Applicant	Mark L. Collins et al.		
Filing Date	March 8, 2000	Group	1655
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
DBJ	Amos Panet et al., <i>Studies on Polynucleotides: The Linkage of Deoxyribopolynucleotide Templates to Cellulose and Its Use in Their Replication</i> , The Journal of Biological Chemistry, 249:5213-5221 (1974).		
	Kary B. Mullis, <i>PCR and Scientific Invention: The Trial of DuPont vs. Cetus</i> , in THE POLYMERASE CHAIN REACTION (Kary B. Mullis et al. eds., Birkhauser Boston, 1994), pp. 428-441.		
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	E. T. Wang of Painewebber, Inc., <i>Biotechnology Research Note</i> , The Investext Group, (OneSource Information Services, Inc. October 26, 2000). <i>pages NA DBJ</i>		
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DBJ	Web pages for Gen-Probe, http://www.gen-probe.com/bottom.html , 2000 DBJ <i>pages NA DBJ</i>		
Examiner	Diana B. [Signature]		Date Considered 11/26/01
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

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Applicant	Mark L. Collins et al.		
Filing Date	March 8, 2000	Group	1655
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	David J. Lane, Ph.D., <i>Declaration of David J. Lane, Ph.D. in Support of Motion of VYSIS, Inc. to Compel Gen-Probe, Incorporated to Produce Research and Development and Commercial Success Documents</i> , filed in United States District Court, Southern District of California, November 10, 2000.		
Examiner		Date Considered	11/26/01
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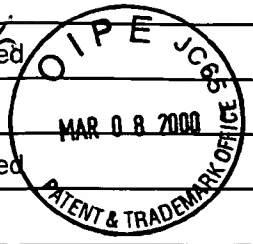
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OMB No. 0651-0011

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(Use several sheets if necessary)

Atty. Docket No. <u>1147.0142</u>				Serial No. <u>09/533916</u> Unassigned			
Applicant: Mark L. Collins et al.							
Filing Date Herewith				Group Unassigned			
U.S. PATENT DOCUMENTS							
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<u>DRJ</u>		4,981,783	1/1/91	Augenlicht	435	6	
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	Translation Yes or No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
<u>DRJ</u>	/	Arsenyan et al. 1980. Isolation of Rat Liver 5S RNA. Gene, Vol. 11, pp. 97-108.					
	/	Boss et al. 1981. Sequence of the Yeast Iso-1-Cytochrome c mRNA. The Journal of Biological Chemistry, Vol. 256, No. 24, pp. 12958-12961.					
	/	Coffin, J.M. 1996. "Retroviridae: Viruses and Their Replication" in Fundamental Virology, Third Edition. Edited by B.N. Field, D.M. Knipe, P.M. Howley et al. Lippincott-Raven Publishers, Philadelphia 763, 776-778.					
	/	Coulsen, A.R., and Staden, R. 1994. "DNA Sequencing" in The Encyclopedia of Molecular Biology. Edited by J. Kendrew, E. Lawrence et al. Blackwell Science Ltd, Oxford 283, 283-284.					
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	/	Hirsch et al. 1978. Enrichment of Special Novikoff Hepatoma and Regenerating Liver mRNA by Hybridization to cDNA-cellulose. Proceedings of the National Academy of Sciences USA, Vol. 75, No. 4, pp. 1736-1739.					
		Montgomery et al. 1982. The Molecular Characterization of Three Transcriptional Mutations in the Yeast Iso-2-cytochrome c Gene. The Journal of Biological Chemistry, Vol. 257, No. 13, pp. 7756-7761.					
<u>DRJ</u>		Strair et al. 1977. Use of Molecular Hybridization to Purify and Analyze Albumin Messenger RNA from Rat Liver. Proceedings of the National Academy of Sciences USA, Vol. 74, No. 10, pp. 4346-4350.					
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							
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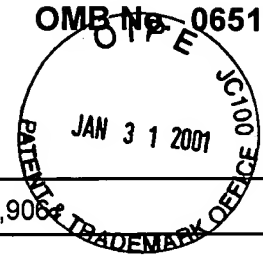
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INFORMATION DISCLOSURE CITATION
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Atty. Docket No.	01147-0142-00000	Reissue Serial No.	09/533,906
Applicant	Mark L. Collins et al.		
Filing Date	March 8, 2000	Group	1655
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	Welcher, A.A., et al., Selective Enrichment of Specific DNA, cDNA and RNA Sequences Using Biotinylated Probes, Avidin and Copper-Chelated Agarose, Nucleic Acids Research, vol. 14, no. 24, pp. 10027-10044 (1986).		
	Jungell-Nortamo, A., et al., Nucleic Acid Sandwich Hybridization: Enhanced Reaction Rate with Magnetic Microparticles as Carriers, Molecular and Cellular Probes, vol. 2, pp. 281-288 (1988).		
ms	Syvanen, A., et al., Quantification of Polymerase Chain Reaction Products by Affinity-Based Hybrid Collection, Nucleic Acids Research, vol. 16, pp. 11327-11338 (1988).		
Examiner	Diana Bf		Date Considered 11/26/01
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		
Form PTO 1449		Patent and Trademark Office - U.S. Department of Commerce	

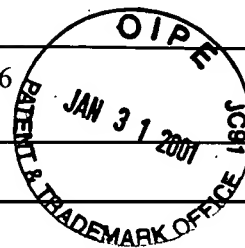
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OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION
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Atty. Docket No.	1147.0142-00000	Reissue Serial No.	09/533,906			
Applicant	Mark L. Collins et al.					
Filing Date	March 8, 2000	Group	1655			
FOREIGN PATENT DOCUMENTS						
	Document Number	Date	Country	Class	Sub Class	Translation Yes or No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
DBJ	Sanjay Tyagi et al., <i>Extremely Sensitive, Background-free Gene Detection Using Binary Probes and Qβ Replicase</i> , Proc. Natl. Acad. Sci. USA, 93:5395-5400 (1996).					
DBJ	Yi-Wei Tang et al., <i>Molecular Diagnostics of Infectious Diseases</i> , Clinical Chemistry, 43:11, 2021-2038 (1997).					
DBJ	Thomas J. White et al., <i>The Polymerase Chain Reaction: Clinical Applications</i> , Advances in Clinical Chemistry, 29:161-196 (1992).					
Examiner	Diana B. [Signature]		Date Considered 11/26/01			
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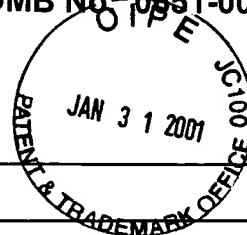
OFFICE OF THE COMMISSIONER OF PATENTS AND TRADEMARKS

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)

Atty. Docket No. 01147-0142-00000				Reissue Serial No. 09/533,906			
Applicant Mark L. Collins et al.							
Filing Date March 8, 2000				Group 1655			
U.S. PATENT DOCUMENTS							
Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate	
<div style="writing-mode: vertical-rl; transform: rotate(180deg);"> RECEIVED FEB 01 2001 TECH CENTER 1000/2000 </div>	4,409,200	10/11/83	Feller et al.	436	516		
	4,486,539	12/4/84	Ranki et al.	436	504		
	4,542,102	9/17/85	Dattagupta et al.	435	6		
	4,556,643	12/3/85	Paau et al.	436	501		
	4,563,417	1/7/86	Albarella at al.	435	6		
	4,656,127	4/7/87	Mundy	435	6		
	4,670,379	6/2/87	Miller	435	6		
	4,683,195	7/28/87	Mullis et al.	435	6		
	4,716,106	12/29/87	Chiswell	435	6		
	4,725,537	2/16/88	Fritsch et al.	435	6		
	4,734,363	3/29/88	Dattagupta et al.	435	91		
	4,749,647	6/7/88	Thomas et al.	435	6		
	4,751,177	6/14/88	Stabinsky	435	6		
	4,764,460	8/16/88	Furuichi et al.	435	6		
	DRD	4,766,062	8/23/88	Diamond et al.	435	6	
FOREIGN PATENT DOCUMENTS							
	Document Number	Date	Country	Class	Sub Class	Translation Yes or No	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
Examiner <i>Dianna B. [Signature]</i>				Date Considered 11/26/01			
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OMB No. 0651-0011

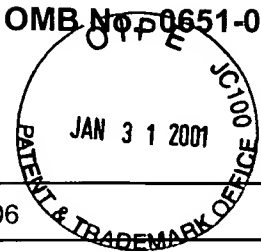
INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)



Atty. Docket No. 01147-0142-00000		Reissue Serial No. 09/533,906			
Applicant Mark L. Collins et al.					
Filing Date March 8, 2000		Group 1655			
U.S. PATENT DOCUMENTS					
Examiner Initial*	Document Number	Date	Name	Class	Sub Class
DPJ	4,766,064	8/23/88	Williams et al.	435	6
	4,777,129	10/11/88	Dattagupta et al.	435	6
	4,785,086	11/15/88	Rashtchian et al.	536	27
	4,795,700	1/3/89	Dervan et al.	435	5
	4,797,355	1/10/89	Stabinsky	435	6
	4,818,680	4/4/89	Collins et al.	435	6
	4,818,681	4/4/89	Dattagupta	435	6
	4,824,776	4/25/89	Heller	435	6
	4,851,331	7/25/89	Vary et al.	435	6
	4,868,105	9/19/89	Urdea et al.	435	6
	4,983,511	1/8/91	Geiger et al.	435	6
	4,994,373	2/19/91	Stavrianopoulos et al.	435	6
	4,996,143	2/26/91	Heller et al.	435	6
	5,008,182	4/16/91	Sninsky et al.	435	5
	5,011,769	4/30/91	Duck et al.	435	6
	5,085,982	2/4/92	Keith	435	5
	5,118,605	6/2/92	Urdea	435	6
	5,176,995	1/5/93	Sninsky et al.	435	6
DPJ	5,200,313	4/6/93	Carrico	435	6
Examiner <i>Diana P. Jones</i>		Date Considered 11/26/01			
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					
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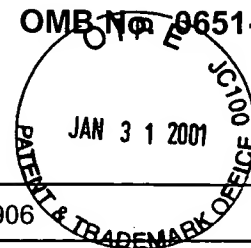
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Examiner Initial*		Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
DRJ		5,236,826	8/17/93	Marshall	435	7.92	RECEIVED
		5,238,808	8/24/93	Bard et al.	435	4	
		5,242,794	9/7/93	Whiteley et al.	435	6	FEB 01 2001
		5,268,268	12/7/93	Sinsky et al.	435	6	TECH CENTER 1600/2900
		5,288,609	2/22/94	Engelhardt et al.	435	6	
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		5,374,524	12/20/94	Miller	435	6	
		5,386,022	1/31/95	Sninsky et al.	536	24.32	
		5,424,188	6/13/95	Schneider et al.	435	6	
		5,468,613	11/21/95	Erlich et al.	435	6	
		5,482,834	1/9/96	Gillespie	435	6	
		5,521,065	5/28/96	Whiteley et al.	435	6	
		5,594,123	1/14/97	Sninsky et al.	536	24.32	
		5,599,667	2/4/97	Arnold, Jr. et al.	435	6	
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		5,614,362	3/25/97	Urdea et al.	435	5	
		5,635,347	6/3/97	Link et al.	435	6	
DRJ		5,641,630	6/24/97	Snitman et al.	435	6	
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U.S. PATENT DOCUMENTS					
Examiner Initial*	Document Number	Date	Name	Class	Sub Class
DBJ	5,641,631	6/24/97	Kohne et al.	435	6
DBJ	5,714,380	2/3/98	Neri et al.	435	287.2
DBJ	5,780,224	7/14/98	Collins et al.	435	6
RECEIVED FEB 01 2001					
FOREIGN PATENT DOCUMENTS					
	Document Number	Date	Country	Class	Sub Class
DBJ	EP 0 152 886 A2	8/28/85	Europe		
DBJ	EP 0 154 505 A2	9/11/85	Europe		
DBJ	WO 86/05815	10/9/86	PCT		
DBJ	EP 0 159 719 A3	10/30/85	Europe		
DBJ	EP 0 184 056 A3	6/11/86	Europe		
DBJ	EP 0 200 362 A3	12/10/86	Europe		
DBJ	EP 0 265 244 A2	4/27/88	Europe		
DBJ	WO 87/01730	3/26/87	PCT		
DBJ	GB 2187 283 A	9/3/87	United Kingdom		
DBJ	AU B 73068/87	11/9/87	Australia		
DBJ	AU A 11937/88	9/15/88	Australia		
TECH CENTER 1600/2900					
Examiner <i>Diana B...</i>			Date Considered 11/26/01		
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REISSUE LITIGATION

SHEET 1 OF 2

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	GPI ATTY. DOCKET NO.		SERIAL NO. / PATENT NO.	
	Collins - Reissue Protest		09/533,906 / 5,570,338	
	APPLICANT			
	Collins et al.			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	REISSUE FILING DATE		GROUP	
	March 8, 2000		1634	
(USE SEVERAL SHEETS IF NECESSARY)				

U.S. PATENT DOCUMENTS											
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DBJ	4	5	5	4	0	8	8	11/19/85	Whitehead et al.	252	62.54
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DBJ	4	6	7	2	0	4	0	06/09/87	Josephson	436	526
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DBJ		0	3	2	8	8	2	9	08/23/89	EPO				

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)											
DBJ	✓ Arsenyan et al., "Isolation of rat liver 5S RNA genes", <i>Gene</i> , 11:97-108 (1980)											
DBJ	Blumenthal, "Q β replicase template specificity: Different templates require different GTP concentrations for initiation", <i>Proc. Natl. Acad. Sci. USA</i> , 77(5):2601-2605 (1980)											
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EXAMINER	<i>Diana P</i>	DATE CONSIDERED	11/26/01
<p>*EXAMINER: INITIAL IF CITATION CONSIDERED; WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.</p>			

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REISSUE LITIGATION

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	Collins - Reissue Protest	09/533,906 / 5,570,338
	APPLICANT	
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	March 8, 2000	1634

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